

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:18 CR 98-1

UNITED STATES OF AMERICA,)
 Plaintiff,)
)
vs.)
)
JAMES AARON BIRD,)
 Defendant,)
)
and)
)
EASTERN BAND OF CHEROKEE)
INDIANS,)
 Garnishee.)

)

ORDER

This matter is before the Court on the Government's Motion for Dismissal of Order Allowing Garnishment (Doc. 47).

On February 21, 2019, the Honorable Martin Reidinger, United States District Judge, sentenced Defendant to twenty-one months' incarceration for his conviction of Assault Resulting in Serious Bodily Injury. See (Doc. 25). As part of the Judgment, Defendant was ordered to pay a \$100.00 criminal assessment and restitution of \$3,693.41.

On May 29, 2019, a Writ of Continuing Garnishment was issued to Eastern Band of Cherokee Indians ("Garnishee") (Doc. 33).

On October 15, 2019, an Order of Continuing Garnishment was issued to Garnishee (Doc. 44).

On October 28, 2019, the Government filed its Final Accounting of Garnishment (Doc. 45) which advises that the United States Attorney's Office, Financial Litigation Unit has received one garnishment payment from Garnishee, totaling \$3,693.41, and that the balance of the assessment, fine, and/or restitution debt has been satisfied.

For the reasons stated therein, the Government's Motion for Dismissal of Order of Continuing Garnishment (Doc. 47) is **GRANTED** and the Order of Continuing Garnishment (Doc. 44) is **TERMINATED**.

Signed: October 28, 2019

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf
United States Magistrate Judge

